

AMENDMENT TO H.R. 3524 Smith (NJ)
OFFERED BY M~~r.~~ Chabot

At the appropriate place in the bill, insert the following:

1 **SEC. ____.** FOREIGN MILITARY FINANCING IN THE INDO-PA-
2 **CIFIC AND AUTHORIZATION OF APPROPRIA-**
3 **TIONS FOR SOUTHEAST ASIA MARITIME SE-**
4 **CURITY PROGRAMS AND DIPLOMATIC OUT-**
5 **REACH ACTIVITIES.**

6 (a) FOREIGN MILITARY FINANCING FUNDING.—In
7 addition to any amount appropriated pursuant to section
8 23 of the Arms Export Control Act (22 U.S.C. 2763) (re-
9 lating to foreign military financing assistance), there is
10 authorized to be appropriated for each of fiscal years 2022
11 through fiscal year 2026 for activities in the Indo-Pacific
12 region in accordance with this section—

- 13 (1) \$110,000,000 for fiscal year 2022;
14 (2) \$125,000,000 for fiscal year 2023;
15 (3) \$130,000,000 for fiscal year 2024;
16 (4) \$140,000,000 for fiscal year 2025; and
17 (5) \$150,000,000 for fiscal year 2026.

18 (b) SOUTHEAST MARITIME LAW ENFORCEMENT INI-
19 TIATIVE.—There is authorized to be appropriated

1 \$10,000,000 for each of fiscal years 2022 through 2026
2 for the Department of State for International Narcotics
3 Control and Law Enforcement (INCLE) for the support
4 of the Southeast Asia Maritime Law Enforcement Initia-
5 tive.

6 (c) DIPLOMATIC OUTREACH ACTIVITIES.—There is
7 authorized to be appropriated to the Department of State,
8 \$1,000,000 for each of fiscal years 2022 through 2026,
9 which shall be used—

10 (1) to conduct, in coordination with the Depart-
11 ment of Defense, outreach activities, including con-
12 ferences and symposia, to familiarize partner coun-
13 tries, particularly in the Indo-Pacific region, with
14 the United States interpretation of international law
15 relating to freedom of the seas; and

16 (2) to work with allies and partners in the
17 Indo-Pacific region to better align respective inter-
18 pretations of international law relating to freedom of
19 the seas, including on the matters of operations by
20 military ships in exclusive economic zones, innocent
21 passage through territorial seas, and transits
22 through international straits.

23 (d) PROGRAM AUTHORIZATION AND PURPOSE.—
24 Using amounts appropriate pursuant to subsection (a),
25 the Secretary of State, in coordination with the Secretary

1 of Defense, is authorized to provide assistance, for the
2 purpose of increasing maritime security and domain
3 awareness for countries in the Indo-Pacific region—

4 (1) to provide assistance to national military or
5 other security forces of such countries that have
6 maritime security missions among their functional
7 responsibilities;

8 (2) to provide training to ministry, agency, and
9 headquarters level organizations for such forces; and

10 (3) to provide assistance to and training to
11 other relevant foreign affairs, maritime, or security-
12 related ministries, agencies, departments, or offices
13 that manage and oversee maritime activities and pol-
14 icy that the Secretary of State may so designate.

15 (e) DESIGNATION OF ASSISTANCE.—Assistance pro-
16 vided by the Secretary of State under this section shall
17 be known as the “Indo-Pacific Maritime Security Initia-
18 tive” (in this section referred to as the “Initiative”).

19 (f) PROGRAM OBJECTIVES.—Assistance provided
20 through the Initiative may be used to accomplish the fol-
21 lowing objectives:

22 (1) Retaining unhindered access to and use of
23 international waterways in the Indo-Pacific region
24 that are critical to ensuring the security and free

1 flow of commerce and achieving United States na-
2 tional security objectives.

3 (2) Improving maritime domain awareness in
4 the Indo-Pacific region.

5 (3) Countering piracy in the Indo-Pacific re-
6 gion.

7 (4) Disrupting illicit maritime trafficking activi-
8 ties and other forms of maritime trafficking activity
9 in the Indo-Pacific that directly benefit organiza-
10 tions that have been determined to be a security
11 threat to the United States.

12 (5) Enhancing the maritime capabilities of a
13 country or regional organization to respond to
14 emerging threats to maritime security in the Indo-
15 Pacific region.

16 (6) Strengthening United States alliances and
17 partnerships in Southeast Asia and other parts of
18 the Indo-Pacific region.

19 (g) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—Of the amount appropriated
21 pursuant to subsection(a) and section 23 of the
22 Arms Export Control Act (22 U.S.C. 2763) (relating
23 to foreign military financing assistance), there is au-
24 thorized to be appropriated to the Department of

1 State for the Indo-Pacific Maritime Security Initia-
2 tive and other related regional programs exactly—

3 (A) \$70,000,000 for fiscal year 2022;

4 (B) \$80,000,000 for fiscal year 2023;

5 (C) \$90,000,000 for fiscal year 2024;

6 (D) \$100,000,000 for fiscal year 2025;

7 and

8 (E) \$110,000,000 for fiscal year 2026.

9 (2) RULE OF CONSTRUCTION.—The “Indo-Pa-
10 cific Maritime Security Initiative” and funds author-
11 ized for the Initiative shall include existing regional
12 programs related to maritime security, including the
13 Southeast Asia Maritime Security Initiative.

14 (h) ELIGIBILITY AND PRIORITIES FOR ASSIST-
15 ANCE.—

16 (1) IN GENERAL.—The Secretary of State shall
17 use the following considerations when selecting
18 which countries in the Indo-Pacific region should re-
19 ceive assistance pursuant to the Initiative:

20 (A) Assistance may be provided to a coun-
21 try in the Indo-Pacific region to enhance the ca-
22 pabilities of that country according to the objec-
23 tives outlined in (f), or of a regional organiza-
24 tion that includes that country, to conduct—

- 1 (i) maritime intelligence, surveillance,
2 and reconnaissance;
3 (ii) littoral and port security;
4 (iii) Coast Guard operations;
5 (iv) command and control; and
6 (v) management and oversight of mar-
7 itime activities.

8 (B) Priority shall be placed on assistance
9 to enhance the maritime security capabilities of
10 the military or security forces of countries in
11 the Indo-Pacific region that have maritime mis-
12 sions and the government agencies responsible
13 for such forces.

14 (2) TYPES OF ASSISTANCE AND TRAINING.—

15 (A) AUTHORIZED ELEMENTS OF ASSIST-
16 ANCE.—Assistance provided under paragraph
17 (1)(A) may include the provision of equipment,
18 training, and small-scale military construction.

19 (B) REQUIRED ELEMENTS OF ASSISTANCE
20 AND TRAINING.—Assistance and training pro-
21 vided under subparagraph (A) shall include ele-
22 ments that promote—

- 23 (i) the observance of and respect for
24 human rights; and

1 (ii) respect for legitimate civilian au-
2 thority within the country to which the as-
3 sistance is provided.

4 (i) JOINT TASK FORCE.—The Department of De-
5 fense shall establish a joint, interagency task force to as-
6 sess, respond to, and coordinate with allies and partners
7 in response to the use of grey zone tactics by state and
8 non-state actors in the Indo-Pacific maritime domain, in-
9 cluding—

10 (1) conducting domain awareness operations,
11 intelligence fusion, and multi-sensor correlation to
12 detect, monitor, and hand off suspected grey zone
13 activities;

14 (2) promoting security, cooperation, and capac-
15 ity building; and

16 (3) coordinating country team and partner na-
17 tion initiatives in order to counter the use of grey
18 zone tactics by adversaries.

19 (j) ANNUAL REPORT.—The Secretary of State and
20 the Secretary of Defense shall jointly submit to the appro-
21 priate committees of Congress each year a report on the
22 status of the provision of equipment, training, supplies,
23 or other services provided pursuant to the Initiative during
24 the preceding 12 months.

1 (k) NOTICE TO CONGRESS ON ASSISTANCE AND
2 TRAINING.—Not later than 15 days before exercising the
3 authority under subsection (a) with respect to a recipient
4 foreign country, the Secretary of State shall submit a noti-
5 fication in writing to the appropriate committees of Con-
6 gress.

